

REMARKS

Claims 1-24 are pending. By this Response, claims 1, 6, 11 and 16 are amended. Reconsideration and allowance based on the above-amendments and following remarks are respectfully requested.

The Office Action rejects claims 1, 3-5, 6, 8, 10, 11, 13, 15, 16, 18, 20 and 21-24 under 35 U.S.C. §103(a) as being unpatentable over Loui, et al. (US 6,636,648) in view of Narayanaswami, et al. (US 6,504,571) in view of Wilcock, et al. (US 6,741,864) and claims 2, 7, 9, 12, 14, 17 and 19 under 35 U.S.C. §103(a) as being unpatentable over Loui, Narayanaswami, Wilcock and Kino, et al. (US 6,832,101). These rejections are respectfully traversed.

Claims 1 and 6 recite, *inter alia*, forwarding image data from a user terminal to a generation support server, a user at the user terminal being identified by the user ID where a predetermined reference position is associated with said user ID, the generation support server performing the steps of: calculating...judging..., classifying the image data...and generating the album data.

Claims 11 and 16 recite, *inter alia*, obtaining image data from a user terminal and providing the image data to a generating support server, a user at the user terminal being identified by a user ID where a predetermined reference position is associated with said user ID, the program performing within the generation support server steps of: calculating...judging...classifying the image data and generating the album data.

Applicants respectfully submit that the combination of Loui, Narayanaswami, and Wilcock fail to teach or suggest at least the above recited features of independent claims 1, 6, 11 and 16.

Loui teaches a method for creating albums from selected captured images and automatically preparing a page layout for those selected images. This method is performed within an individual remote computer system. The images are obtained from memory devices that can be connected to or read by the computer system or from a network connection. In Loui, an image is imported into the alburng system and also meta data information associated with the image. The meta data information includes any type of data relevant to the image including date and time the picture was taken, GPS information, etc. The meta data information is stored with the image and extracted by the system when necessary. In creating an album, a user selects the pictures to be included in the album. See column 11, lines 7-8. The images can be segmented based on various events or information such as date and time or location of the images captured. After the images are segmented, the quality of the images are measured against a threshold value. Images of very low quality are removed. Duplicates are also identified and removed. This selected pictures are then provided to a layout stage where the pictures are placed within the page based on the event boundaries and meta data information. See columns 7-8 and 11.

In Loui's system, all image data is forwarded or provided to a singular computer system. The images are not loaded onto a computer and forwarded to a server for processing. The images are processed at the computer system itself. Further, Loui's system does not associate a user ID with a predetermined reference position. Therefore, Loui's system does not teach the above noted features of independent claims 1, 6, 11 and 16.

Like Loui, Narayanaswami and Wilcock also only teach or suggest forwarding and processing images at an individual computer. Narayanaswami teaches a system in which images captured by camera are organized or stored within the camera itself or by a separate computer. The images are organized based on recorded parameters, such as location of images taken, and stored in a database based on these parameters. Users can then access the images that relate to each other quickly and easily based on this organization.

Wilcock teaches a system in which photos taken by a camera are stamped with location data. Other data such as a user ID, time stamp etc. can also be associated with the captured image. The information is stored as meta data. The photos and their associated meta data are then downloaded to a computer from the image capturing system. The computer uses the meta data to prepare and store the photos in an organized manageable manner. The user can access the photos quickly and easily based on the organization. See columns 3-6.

In each of Narayanaswami and Wilcock system images are provided to an individual computer. The computer itself performs the organization of the data. The images are not sent from a computer terminal to a server for processing. Further, a predetermined condition is not associated with a user ID. Although a user ID is used in Wilcox to organize the images, it is not used to identify a predetermined reference position for that particular user, which is then used to process the images.

In view of the above, applicants respectfully submit that the combination of Loui, Narayanaswami and Wilcock fail to teach each and every feature of independent claims 1, 6, 11 and 16. Accordingly, reconsideration and withdrawal of the rejection of the independent claims are respectfully requested

Further, Kino is provided to teach the aspects of the dependent claims. Thus, Kino fails to make up for the deficiencies of Loui, Narayanaswami and Wilcock. Therefore, in view of the above, applicants respectfully submit that independent claims 1, 6, 11 and 16 are distinguishable over the combination of Loui, Narayanaswami and Wilcock. Also, dependent claims 2-5, 8-10, 12-15 and 17-24 are also distinguishable for the above reasons as well as for the additional features they recite. Accordingly, reconsideration and withdrawal of the rejections are respectfully requested.

Conclusion

For at least these reasons, it is respectfully submitted that claims 1-24 are distinguishable over the cited art. Favorable consideration and prompt allowance are earnestly solicited.

Pursuant to 37 C.F.R. §§ 1.17 and 1.136(a), Applicants respectfully petition for a one (1) month extension of time for filing a reply in connection with the present application, and the required fee of \$120.00 is attached hereto.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Chad J. Billings (Reg. No. 48,917) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

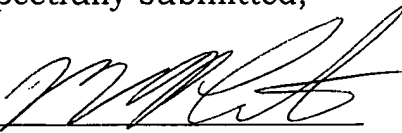
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If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Dated: March 15, 2006

Respectfully submitted,

By 

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